CITY OF LEMON GROVE

CITY COUNCIL POLICIES AND PROCEDURES

SUBJECT:	**RULES FOR THE CONDUCT OF CITY COUNCIL MEETINGS**
EFFECTIVE DATE:	**May 4, 2021**
ORIGINATING DEPARTMENT:	**CITY MANAGER**

SECTION 1 - SCOPE

1.1 These rules shall establish the procedures for the conduct of all meetings of the City Council of the City of Lemon Grove. The purpose of these rules is to provide procedures consistent with the Ralph M. Brown Act, establish procedures which will be convenient for the public, be fair to all members of the City Council, and contribute to the orderly conduct of City business.

1.2 The provisions of these policies and procedures, insofar as they are substantially the same as provisions of existing ordinances relating to the same subject matter, shall be construed as restatements thereof and not as new enactments. Nothing contained in these policies and procedures shall be deemed to repeal any regulation or ordinance. Where conflict occurs between these policies and procedures and any other regulation or ordinance effective within the city, the regulation or ordinance shall apply.

1.3 This policy comports with the Council – Manager form of Government.

SECTION 2 - MEETINGS

2.1 Open to Public: All meetings of the City Council, whether regular or special, shall be open to the public, unless a closed session is scheduled as authorized by law.

2.2 Regular Meetings: The City Council shall conduct its regular meetings at the time and place established by ordinance, if specified by ordinance or resolution.

2.3 Review Status of Agenda at 8:00 p.m.: The City Council may review the agenda of the meeting being conducted at 8:00 p.m. to determine if it will be able to conclude its business by 9:00 p.m. on the same meeting. If, at 9:00 p.m., the City Council has not concluded its business, before continuing the meeting it shall review and discuss the status of the remaining agenda items and determine by majority vote whether to continue any remaining items to a date certain of a future regular or special meeting, adjourn the meeting to another date and time, or extend the meeting beyond 9:00 p.m. as needed.

SECTION 3 - AGENDA CONTENTS

3.1 Description of Matters: All items of business to be discussed at a meeting of the City Council shall be briefly described on the agenda. The description of the item and the proposed action to be considered should be set forth as clearly as practical so that members of the public will know the nature of the action under review and consideration.

3.2 Limitation to Act on Only Items on the Agenda: No action shall be taken by the City Council on any item not on the posted agenda, subject only to the exceptions listed below:

a. Upon a majority determination that an "emergency situation" (as defined by State Law) exists; and

b. Upon a determination by a 4/5 vote of the City Council that there is a need to take immediate action and that the need to take the action came to the attention of City officials subsequent to posting of the agenda.

3.3 Change in Order of Business: The Mayor or Presiding Officer may decide to take matters listed on the agenda out of the prescribed order unless a majority of members present object to this variation.

3.4 City Council Reports: At each Regular City Council meeting, with a time limit of ten (10) minutes, a Council Member has the opportunity to share with the Council and community any pertinent updates or information in regard to their appointments to outside agencies, boards or commissions and upcoming events. These are non-action items.

3.5 City Manager Report: These are updates on current City activities or reports on issues raised at previous Council meetings. These are non-action items.

3.6 Public Comment for items not on the agenda: This refers to those matters not scheduled on the agenda where a member of the public wants to address a matter of importance to the City Council. Since the matter is not on the agenda, no action by Council can be taken. If two (2) members of Council so desires, the matter can be placed on the agenda of a future Council meeting for review and consideration.

3.7 Consent Calendar: These are items of a routine or generally uncontested nature. Any member of the Council may request to have an item pulled from the consent calendar and acted on individually by the Council. If a City Council Member desires to pull an item from the consent calendar, it must be done at the time of "Changes to the Agenda" agenda item. Any consent item pulled must be requested by a Council Member by 5:00 p.m. Monday night before the City Council meeting. The request must be directed (either by email or phone call) to the City Clerk's office. This allows staff time to prepare a proper presentation of the item being pulled. In the event that something comes up after the Monday deadline, a Council Member may ask for an approval vote of the Council at the "Changes to the Agenda" agenda item to have the item pulled. This would be a regular majority vote. Items pulled will be discussed after action is taken on the balance of the consent calendar. The Mayor shall decide if the items are heard before or after moving on

to public hearing and other business items.

3.8 Public Hearings: These are matters that are duly noticed and published in a newspaper of general circulation and where required by law, written notice is given to the affected residents who have the opportunity to speak in favor or against a matter or ask questions about the matter.

3.9 Reports to Council: These are other matters of City business which are not appropriately placed on the consent calendar and do not require published notices and require Council action and direction.

SECTION 4. PROCEDURES FOR THE CONDUCT OF MEETINGS

4.1 Role of the Mayor/Presiding Officer:

a. The Presiding Officer of the City Council, who shall be the Mayor or in the Mayor's absence shall be the Mayor Pro Tempore, or in their absence any other designated member of the City Council, shall be responsible for maintaining the order and decorum of meetings. It shall be the duty and responsibility of the Presiding Officer to ensure that the rules of operation and decorum contained herein are observed. The Presiding Officer shall maintain control of communication between Council Members and between the Council, staff, and public.

b. Communication with Council Members:

1. Council Members should request the floor from the Presiding Officer before speaking.

2. When one member of the Council has the floor and is speaking, other Council Members shall not interrupt or otherwise disturb the speaker.

3. During questions, when one Council Member has the floor, they are limited to two (2) questions at a time but may be extended at the Presiding Officer's discretion. Questions for staff or an applicant are asked through the Presiding Officer. Commentary by City Council Members should be limited to questions at this time.

4. Discussion and debate shall take place only after a Motion and Second has been made but may take place at after public comment at the discretion of the Presiding Officer. In this instance, the Presiding Officer can either ask for a motion to open debate or ask for comment. The Presiding Officer does not have to yield the floor for a Council Member to comment when she/he called for a motion.

c. Communication with Members of the Public Addressing the Council:

1. The Mayor or Presiding Officer shall open the floor for public testimony as appropriate.

2. After a witness or subject matter expert has addressed the City Council during public comment, Council members may only ask questions of witnesses or subject matter experts. Such questions should be directed to the person through the Presiding Officer unless the Presiding Officer grants the Council Member permission to directly question the person.

3. Staff members, through the City Manager, shall be a resource to the City Council to answer questions arising during discussions between Council Members and between Council Members and members of the public. Communications in this regard shall be through the Presiding Officer.

4. Members of the public shall direct their questions and comments through the Presiding Officer.

d. Communications with Staff

1. The Presiding Officer shall maintain control of communication between Council Members and staff. When a Council Member wishes to direct questions to staff, the Council Member shall ask the Presiding Officer to make the inquiry at which time the Presiding Officer shall make the inquiry with the City Manager. The City Manager shall then either answer the question on the floor or direct the inquiry to the appropriate staff member, if necessary.

4.2 Debate:

a. The discussions and deliberations at meetings of the City Council are to secure the informed judgement of Council Members on proposals submitted for decision. This purpose is best served by the exchange of thought through discussion and debate.

Debate is regulated by these rules in order to assure every member a reasonable and equal opportunity to be heard.

b. Obtaining the Floor for Debate:

As soon as a debatable motion has been stated to the Council by the Mayor or Presiding Officer, any member of the Council has a right to discuss it after obtaining the floor. The member obtains the floor by seeking recognition from the Mayor or Presiding Officer. A member who has been recognized is entitled to be heard so long as he/she observes the rules of debate.

c. Speaking More Than Once:

To encourage the full participation of all members of the Council, no member or members shall be permitted to monopolize the discussion of the question. If a Council Member has already spoken and other members wish to speak, the latter members should be recognized in preference to the member who has already spoken. However, if no other members seek recognition, the Mayor or Presiding Officer may recognize the member who has already spoken.

The principles discussed in 4.1 b.4 will apply.

d. Relevancy of Debate:

All discussion must be relevant to the motion before the City Council. A member is given the floor only for the purpose of discussing the pending question; discussion which departs is out of order. The Mayor or Presiding Officer should then direct the speaker to limit discussion to the question before the City Council.

A motion-its nature or consequences-may be attacked vigorously. But it is never permissible to attack the motives, character, or personality of a member either directly or by innuendo or implication. It is the duty of the Mayor or Presiding Officer instantly to stop any member who engages in personal attacks. It is the motion, not its proposer, which is the subject of debate. Meetings must discuss measures and ideas, not people.

Arguments, for or against a measure, should be stated as concisely as possible.

Debate must be fundamentally impersonal. All discussion is addressed to the Mayor or Presiding Officer and must never be directed to any individual.

During debate any Council Member may call for a Cloture vote to end debate and either open the floor for a motion, if pre-motion comment and debate was allowed, or call for the question. A cloture vote to close debate must be a 4/5ths vote.

e. Mayor's Duties During Debate:

The Mayor or Presiding Officer has the responsibility of controlling and expediting debate. A Council Member who has been recognized to speak on a question has a right to the undivided attention of the Council.

It is the duty of the Mayor or Presiding Officer to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

SECTION 5. DECORUM

5.1 Council Members: Members of the City Council value and recognize the importance of the trust invested to them by the public to accomplish the business of the City. Council Members shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the City Council.

5.2 City Employees: Members of City staff shall observe the same rules of order and decorum applicable to the City Council. City staff shall act at all times in a business and professional manner towards Council Members and members of the public.

5.3 Public: Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council.

5.4 Addressing Members of the Public and Staff: In addressing the public and members of the City staff, Council Members will generally refer to persons as Mr., Mrs., or Ms., or a pronoun of their choice, followed by their surname.

5.5 Limit Deliberations to Item at Hand: City Council will limit their comments to the subject matter, item or motion being currently considered by the Council.

5.6 Noise in the Chambers: Noise emanating from the audience within the Council Chambers or lobby area, which disrupts City Council meetings, shall not be permitted.

5.7 Sergeant-at-Arms: The Sheriff's Lieutenant, or his/her designated representative shall be ex-officio Sergeant-at-Arms of the City Council.

SECTION 6. VIOLATIONS OF PROCEDURES

6.1 Nothing in these policies and procedures shall invalidate a properly noticed and acted upon action of the City Council in accordance with the Lemon Grove Municipal Code or State Law.

This policy shall remain in effect until modified by the City Council.

APPROVED:

RACQUEL VASQUEZ, MAYOR